

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK  
CIVIL DIVISION**

ANGELA MENCIA-RIVERA, on behalf  
of herself and all others similarly situated,

Plaintiff,

v.

GC SERVICES LIMITED  
PARTNERSHIP,

Defendant.

Case No. \_\_\_\_\_

**NOTICE OF REMOVAL**

Defendant GC Services Limited Partnership (“GC Services”), by its undersigned counsel, Emily Bab Kirsch, hereby provides notice pursuant to 28 U.S.C. §§ 1441(a) and 1446 of the removal of the above-captioned case from the Civil Court of the City of New York, County of Suffolk, to the United States District Court for the Eastern District of New York. As grounds for removal, GC Services states as follows:

**Background**

1. On April 8, 2019, Plaintiff Angela Mencia-Rivera (“Plaintiff”) filed a Summons with Notice in the Supreme Court of the State of New York, Suffolk County. No Complaint was filed at this time. A true and correct copy of the Summons with Notice is attached as Exhibit A.

2. No further action took place until August 6, 2019, when Plaintiff served the Summons with Notice on the Secretary of State. A true and correct copy of the Secretary of State letter is attached as Exhibit B.

3. Plaintiff's Summons with Notice alleges violations of the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692 *et seq.* and, under 28 U.S.C. § 1441(a), is removable to this Court.

4. Defendant GC Services was served with the Summons with Notice by the Secretary of State on August 26, 2019.

5. As of the date of the filing of this Notice of Removal, GC Services has not been served with the Complaint nor has the Complaint been filed in state court.

### **Federal Question Jurisdiction**

6. This Court has original jurisdiction under 28 U.S.C. § 1331 as Plaintiff alleges violations of a claim or right arising under the laws of the United States.

7. Specifically, Plaintiff's Summons with Notice alleges violations of the FDCPA, 15 U.S.C. § 1692 *et seq.*

8. Therefore, this action is subject to removal pursuant to 28 U.S.C. §§ 1331 and 1441(a) at the request of GC Services because Plaintiff's claims arise under the laws of the United States.

### **Venue**

9. Under 28 U.S.C. § 1441(a), the United States District Court for the Eastern District of New York is the proper venue for removal because this suit is pending in the Supreme Court of the State of New York, Suffolk County, which lies within the Eastern District of New York.

### **Procedural Compliance**

10. Removal of this action is timely. 28 U.S.C. § 1446(b) provides, “[t]he notice of removal of a civil action or proceeding shall be filed within thirty days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based. . . .” This Notice of Removal is being filed with the United States District Court for the Eastern District of New York within thirty (30) days after GC Services was served with the Summons with Notice, via the Secretary of State on August 6, 2019.

11. GC Services attaches to this Notice of Removal as Exhibit A, and incorporates by reference, a copy of Plaintiff’s Summons with Notice. The Summons with Notice is the only “process, pleadings or orders” obtained by GC Services in this action. 28 U.S.C. § 1446(a).

12. GC Services is serving contemporaneously with this filing a copy of this Notice of Removal upon Plaintiff. GC Services will also file with the Clerk for the Supreme Court of the State of New York, Suffolk County, a Notice of Filing of Notice of Removal, as required by 28 U.S.C. § 1446(d).

13. By filing a Notice of Removal in this matter, GC Services does not waive its right to object to service of process, the sufficiency of process, jurisdiction over the person, or venue. No admission of fact, law, or liability is intended by this Notice, and GC Services specifically reserves the right to assert any defenses and/or objections to which they may be entitled.

14. Based upon the foregoing, this Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1331, and this action is properly removed to this Court.

WHEREFORE, GC Services Limited Partnership hereby gives notice that the above-captioned action, currently pending in the Supreme Court of the State of New York, Suffolk County, is hereby removed to this Court. GC Services Limited Partnership requests this Court order Plaintiff to replead, asserting specific causes of action, or, in the alternative, to file his Complaint with this Court.

Dated this 5<sup>th</sup> day of September, 2019.

Respectfully submitted,

/s/ Emily Kirsch

Emily Bab Kirsch

**KIRSCH & NIEHAUS**

150 East 58<sup>th</sup> Street, 22<sup>nd</sup> Floor

New York, NY 10155

Office: (212) 832-0170

Main: (917) 744-2888

Email: emily.kirsch@kirschniehaus.com

**ATTORNEYS FOR DEFENDANT,  
GC SERVICES LIMITED  
PARTNERSHIP**

**CERTIFICATE OF SERVICE**

I hereby certify that on September 6, 2019, a true and correct copy of the foregoing Notice of Removal was delivered via electronic filing on all counsel of record, and via first-class mail, postage prepaid, upon the following:

Mitchell L. Pashkin, Esq.  
775 Park Avenue, Suite 255  
Huntington, NY 11743  
Email: [mpash@verizon.net](mailto:mpash@verizon.net)

**ATTORNEY FOR PLAINTIFF**

s/ Emily Bab Kirsch  
Emily Bab Kirsch

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SUFFOLK

ANGELA MENCIA-RIVERA,  
ON BEHALF OF HERSELF AND ALL OTHERS  
SIMILIARLY SITUATED,

INDEX NO. 606754/2019  
FILING DATE: 04/08/19

Plaintiff,

**SUMMONS**  
**WITH NOTICE**

-against-

GC SERVICES LIMITED PARTNERSHIP,

Plaintiff designates  
Suffolk County  
as the place of trial

Defendant.

The basis of the venue is  
Plaintiff's residence

To the above named Defendant(s):

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or if the complaint is not served with the summons, to serve a notice of appearance, on the plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if the summons is not personally delivered to you 'within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the sum of \$1,000 as regards Plaintiff individually and \$500,000.00 to be distributed among the class members in any certified class with interest thereon from the 8th day of April 2018, together with the costs of this action and attorney's fees.

TAKE NOTICE that the object of this action and the relief sought is to recover damages for violations of 15 USC 1692, et. seq. based on Exhibit A and that in case of your failure to answer, judgment will be taken against you for the sum of \$1,000 as regards Plaintiff individually and \$500,000.00 to be distributed among the class members in any certified class with interest thereon from the 8th day of April 2018, together with the costs of this action and attorney's fees.

Dated: April 8, 2019

/s/

Mitchell L. Pashkin  
Attorney For Plaintiff  
775 Park Avenue, Ste., 255  
Huntington, NY 11743  
(631) 335-1107

NYSCEF DOC. NO. 2  
 CDGCSV70 057  
 PO Box 857  
 Oaks PA 19456-0857  
 RETURN SERVICE REQUESTED



GC Services Limited Partnership

RECEIVED NYSCEF 04/08/2019



Please call: 800-311-6497  
 Calls may be monitored or recorded

April 8, 2018

CORRESPONDENCE AND PAYMENT MAILING ADDRESS:

697105767  
 Angela M Mencia-Rivera  
 13 Dekalb Ave  
 Brentwood NY 11717-1605

PO BOX 3855  
 HOUSTON TX 77253

YOU OWE: CITIBANK, N.A

GC NUMBER: 714718068010184

\*\*\*PLEASE DETACH AND RETURN UPPER PORTION OF STATEMENT WITH PAYMENT\*\*\*

April 8, 2018

File Number: 4033612  
 Client Account Number: ENDING 1914  
 New Balance: \$2,430.10

RE: CITI MASTERCARD

Dear ANGELA M MENCIA-RIVERA,

We'd like to speak to you about your tax refund and how it can help you take advantage of the following offer to settle your CITIBANK, N.A account. If you pay 45% of the new balance, our client will consider your account settled.

If you've received your tax refund, this is an excellent opportunity to take care of your account. If you wish to take advantage of this offer, either call our office at 800-311-6497 or mail us your payment for \$1,093.55. Please note the payment must be for the exact amount stated in this letter and must be received no later than fourteen (14) days from the date of this letter or this particular offer will be null and void. Please understand our client is not obligated to renew this offer.

If you are making a payment, please send it along with the top portion of this notice to the post office box listed above, and, if paying by check, make your check payable to "CITIBANK, N.A".

This settlement may have tax consequences. Please consult your tax advisor.

If you have any questions or wish to propose an alternative payment solution, please do not hesitate to contact us.

Sincerely,

Douglas Kemp  
 Account Representative

If you would prefer, you can make a payment on your account using a debit card by going to our website at [www.gcpayonline.com](http://www.gcpayonline.com) or calling us at 844-694-2082. Use the following number to identify yourself when prompted: 714718068010184

*\* As of the date of this letter, you owe \$2,430.10. Because of interest, late charges, and other charges that may vary from day to day, the amount owed on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your payment, in which event we will inform you.*

**This communication is from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.**

**NOTICE: SEE REVERSE SIDE FOR IMPORTANT CONSUMER INFORMATION**

GC Services Limited Partnership - 6330 Gulfon, Houston, TX 77081

This is a copy of a pleading filed electronically pursuant to New York State court rules (22 NYCRR §202.5-b(d)(3)(i)) which, at the time of its printout from the court system's electronic website, had not yet been reviewed and approved by the County Clerk. Because court rules (22 NYCRR §202.5(d)) authorize the County Clerk to reject filings for various reasons, readers should be aware that documents bearing this legend may not have been



NYSCEF DOC. NO. 2

RECEIVED NYSCEF: 04/08/2019

Federal and state law prohibit certain methods of debt collection, and require that we treat you fairly. If you have a complaint about the way we are collecting your debt, please visit our website at [www.gcserv.com](http://www.gcserv.com) or contact the FTC online at [www.ftc.gov](http://www.ftc.gov); by phone at 1-877-FTC-HELP; or by mail at 600 Pennsylvania Ave., NW, Washington, DC 20580. If you want information about your rights when you are contacted by a debt collector, please contact the FTC online at [www.ftc.gov](http://www.ftc.gov).

**NYC Residents: NYC Department of Consumer Affairs' specific license # varies as to city/state location of sender:** Elgin - 2032602; Houston - 2032594; Jacksonville - 2032579; San Antonio - 2032610; Columbus - 2032587; Huntington - 2032616; Knoxville - 2032597; San Diego - 2032615; Copperas Cove - 2032601; Irwindale - 2032591; Oklahoma - 2032603; St. Louis - 2032598; Phoenix - 2032606; Tucson - 2032592

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EXHIBIT A

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Index No. 606754/2019

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ANGELA MENCIA-RIVERA,  
ON BEHALF OF HERSELF AND ALL OTHERS  
SIMILIARLY SITUATED,

Plaintiff(s) ,

-VS-

GC SERVICES LIMITED PARTNERSHIP,

Defendant(s) .

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**SUMMONS WITH NOTICE**

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Mitchell L. Pashkin certifies that, to the best of his knowledge, information and belief, formed after an inquiry reasonable under the circumstances, the presentation of the annexed paper(s) or the contentions therein are not frivolous as defined in 22 NYCRR 130-1.1(c).

/s/

---

Mitchell L. Pashkin  
Attorney For Plaintiff(s)  
775 Park Avenue, Ste., 255  
Huntington, NY 11743  
(631) 335-1107

State of New York - Department of State  
Division of Corporations

Party Served:  
GC SERVICES LIMITED PARTNERSHIP

Plaintiff/Petitioner:  
MENCIA-RIVERA, ANGELA

C T CORPORATION SYSTEM  
28 LIBERTY ST.  
NEW YORK, NY 10005

Dear Sir/Madam:

Enclosed herewith is a legal document which was served upon the Secretary of State on 08/06/2019 pursuant to SECTION 121-109 OF THE REVISED LIMITED PARTNERSHIP ACT. This copy is being transmitted pursuant to such statute to the address provided for such purpose.

Very truly yours,  
Division of Corporations

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

ANGELA MENCIA-RIVERA

(b) County of Residence of First Listed Plaintiff SUFFOLK  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Mitchell L. Pashkin, 775 Park Avenue, Ste. 255, Huntington, NY 11743,  
(631) 335-1107

**DEFENDANTS**

GC SERVICES LIMITED PARTNERSHIP

County of Residence of First Listed Defendant \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Emily Bab Kirsch, Kirsch & Niehaus, 150 East 58th Street, 22nd Floor,  
New York, NY 10155, (212) 832-0170

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question  
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity  
(Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |                                         | PTF                        | DEF                        |                                                               | PTF                        | DEF                        |
|-----------------------------------------|----------------------------|----------------------------|---------------------------------------------------------------|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation                                                | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
15 U.S.C. § 1692 et seq.

Brief description of cause:

Alleged violations of the Fair Debt Collection Practices Act

**VII. REQUESTED IN COMPLAINT:**

☒ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

08/29/2019

SIGNATURE OF ATTORNEY OF RECORD

s/Emily Bab Kirsch

**FOR OFFICE USE ONLY**

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

# CERTIFICATION OF ARBITRATION ELIGIBILITY

Local Arbitration Rule 83.7 provides that with certain exceptions, actions seeking money damages only in an amount not in excess of \$150,000, exclusive of interest and costs, are eligible for compulsory arbitration. The amount of damages is presumed to be below the threshold amount unless a certification to the contrary is filed.

Case is Eligible for Arbitration ☒

I, \_\_\_\_\_, counsel for \_\_\_\_\_, do hereby certify that the above captioned civil action is ineligible for compulsory arbitration for the following reason(s):

- ☐ monetary damages sought are in excess of \$150,000, exclusive of interest and costs,
- ☐ the complaint seeks injunctive relief,
- ☐ the matter is otherwise ineligible for the following reason

## **DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1**

Identify any parent corporation and any publicly held corporation that owns 10% or more of its stocks:

None.

## **RELATED CASE STATEMENT (Section VIII on the Front of this Form)**

Please list all cases that are arguably related pursuant to Division of Business Rule 50.3.1 in Section VIII on the front of this form. Rule 50.3.1 (a) provides that "A civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or because the cases arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the same judge and magistrate judge." Rule 50.3.1 (b) provides that " A civil case shall not be deemed "related" to another civil case merely because the civil case: (A) involves identical legal issues, or (B) involves the same parties." Rule 50.3.1 (c) further provides that "Presumptively, and subject to the power of a judge to determine otherwise pursuant to paragraph (d), civil cases shall not be deemed to be "related" unless both cases are still pending before the court."

## **NY-E DIVISION OF BUSINESS RULE 50.1(d)(2)**

- 1.) Is the civil action being filed in the Eastern District removed from a New York State Court located in Nassau or Suffolk County? ☒ Yes ☐ No
- 2.) If you answered "no" above:
- a) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in Nassau or Suffolk County? ☐ Yes ☐ No
- b) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in the Eastern District? ☐ Yes ☐ No
- c) If this is a Fair Debt Collection Practice Act case, specify the County in which the offending communication was received: \_\_\_\_\_

If your answer to question 2 (b) is "No," does the defendant (or a majority of the defendants, if there is more than one) reside in Nassau or Suffolk County, or, in an interpleader action, does the claimant (or a majority of the claimants, if there is more than one) reside in Nassau or Suffolk County? ☐ Yes ☐ No

(Note: A corporation shall be considered a resident of the County in which it has the most significant contacts).

## **BAR ADMISSION**

I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court.

☒ Yes ☐ No

Are you currently the subject of any disciplinary action (s) in this or any other state or federal court?

☐ Yes (If yes, please explain) ☒ No

I certify the accuracy of all information provided above.

Signature: /s/ Emily Kirsch